

AMENDMENT

U.S. Appln. No. 09/615,708

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curing the coating;

coating a photoresist on the cured bottom anti-reflective coating;

imagewise-exposing the photoresist to light;

optionally subjecting the photoresist to post-exposure baking; and

developing, rinsing and drying the imagewise-exposed photoresist to form a resist pattern.

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**REMARKS**

In the present Amendment and Response, claim 24 has been amended to recite method steps for the method of forming a resist pattern. Section 112 support for the amendment to claim 24 is found, for example, at page 69, line 23 to page 70, line 23, and in working example 20 at pages 89-92 of the specification. Entry of the amendment is respectfully requested.

Claims 12, 14-22 and 24 are pending in this application.

In paragraph no. 1 of the Action, the Examiner notes that claim 24 is a process claim, but that upon examination it allegedly would be unexamined over the art because the invention has no process steps.

In response to paragraph no. 1 of the Action, Applicants have amended claim 24 to recite appropriate process steps.

Accordingly, the Examiner is respectfully requested to reconsider and withdraw her objection to claim 24.

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The Examiner has stated that claims presented with process steps will be considered with respect to restriction when they are presented.

Applicants respectfully submit that restriction with regard to claim 24 is not warranted, appropriate or fair, because this claim merely recites a method of using the bottom anti-reflective coating material composition of claim 12 to form a resist pattern.

In paragraph no. 2 of the Action, the Examiner states that this application contains claims directed to the following patentably distinct species of the claimed invention:

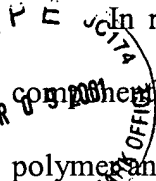
- i. Species A (claim 21) polymer and specified second component,
- ii. Species B (claim 22) polymer and specified second component, and
- iii. Species C (claims 14-20) polymer only.

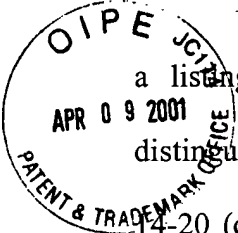
With the election of A, B or C, the Examiner states, Applicants are required to elect one working example with specified composition stating whether the polymer alone is to be searched first or the polymer and second component is to be searched first. This, the Examiner says, must include one and only one polymer as set forth on pages 56-57 of the specification.

The Examiner states that Applicants are required under 35 U.S.C. § 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, the Examiner says, claim 12 is generic.

A reply to this requirement, the Examiner notes, must include an identification of the species that is elected, and a listing of all claims readable thereon, including any claims subsequently added.

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In response, Applicants elect the Species A (claim 21; polymer and specified second component), and example 16 on page 88 as a single species (i.e., compound (36) on page 56 as a polymer and the hexamethoxymethylmelamine on page 88 as the second component).

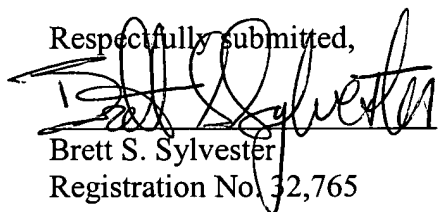
The Examiner has requested, in addition to an identification of the species that is elected, a listing of all claims readable thereon. In this regard, the Examiner's rationale for distinguishing the species is not readily apparent to Applicants. For example, many of claims 14-20 (designated Species C) would cover or read on subject matter of claim 21 (designated Species A). In any event, it appears to Applicants that, in addition to claim 21, claims 12, 14, 15, 16, 17, 18, 24, and possibly 19 are readable on the elected species.

In view of Applicants' election, Applicants suggest that the polymer and second component be searched first, rather than searching the polymer alone.

An Action on the merits is respectfully requested.

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Respectfully submitted,

  
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**APPENDIX**  
**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE CLAIMS:**

**The claims are amended as follows:**

Claim 24 (amended):

A method for forming a resist pattern, [which uses a bottom anti-reflective coating material composition claimed in claim 12] comprising the steps of:

dissolving a bottom anti-reflective coating material composition of claim 12 in a solvent to provide a bottom anti-reflective coating solution;

coating the bottom anti-reflective coating solution on a substrate to form a bottom anti-reflective coating;

curing the coating;

coating a photoresist on the cured bottom anti-reflective coating;

imagewise-exposing the photoresist to light;

optionally subjecting the photoresist to post-exposure baking; and

developing, rinsing and drying the imagewise-exposed photoresist to form a resist pattern.